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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/686,515	10/15/2003	Dimitri M. Donskoy	101995-010906	6723
67395 7590 06/26/2007 GREENBERG TRAURIG, LLP 200 PARK AVE. P.O. BOX 677 FLORHAM PARK, NJ 07932			EXAMINER KWOK, HELEN C	
			ART UNIT 2856	PAPER NUMBER
			MAIL DATE 06/26/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Claims

1. The amendment filed October 11, 2005 proposes amendment to the claims that do not comply with 37 CFR 1.173(b), which set forth the manner of making amendments in reissue applications. A supplemental paper correctly amending the reissue application is requested.

For instance, the claims filed on October 11, 2005 are not in proper format. All new claims (claims 40-45 and 50-52) must be underlined without strike-throughs or brackets and patented claims 1-5, 7-35, 38 and 39 must be amended using brackets for deletions and underlining for new material added. See, 37 CFR 1.173(b)(2) and (d) and MPEP § 1453.

Oath/Declaration

2. In accordance with 37 CFR 1.175(b)(1), a supplemental reissue oath/declaration under 37 CFR 1.175(b)(1) must be received before this reissue application can be allowed because for any error corrected, which is not covered by an oath/declaration (i.e. any error corrected after the filing of all oaths and declarations currently in the reissue applications), Applicant **MUST** submit a supplemental oath/declaration prior to allowance.

Receipt of an appropriate supplemental oath/declaration under 37 CFR 1.175(b)(1) will overcome this rejection under 35 U.S.C. 251. An example of acceptable language to be used in the supplemental oath/declaration is as follows:

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"Every error in the patent which was corrected in the present reissue application, and is not covered by a prior oath/declaration submitted in this application, arose without any deceptive intention on the part of the applicant."

See MPEP § 1414.01 and MPEP § 1444 for handling supplemental oaths and declarations .

3. Claims 1-5, 7-35, 38-45 and 50-52 are rejected as being based upon a defective reissue declaration under 35 U.S.C. 251 as set forth above. See 37 CFR 1.175.

The nature of the defect(s) in the declaration is set forth in the discussion above in this Office action.

Response to Amendment

4. Applicant's arguments with respect to claims 1-5, 7-35, 38-45 and 50-52 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

5. Claims 1-5, 7-35, 38-45 and 50-52 are allowable over the prior art of record.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

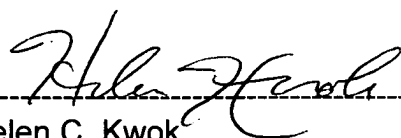
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helen C. Kwok whose telephone number is (571) 272-2197. The examiner can normally be reached on 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron E. Williams can be reached on (571) 272-2208. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Helen C. Kwok
Art Unit 2856

hck
June 18, 2007